

Gene Bavis, Chairman called the regular meeting of the Planning Board to order at 7:30 P.M. Members present were Chairman Gene Bavis, Rick Johnson, Elaine Leasure, Karel Ambroz and Deb Amsler . Also present was Phil Williamson, Code Enforcement Officer, Norm Druschel, Marlene Hall (alternate) and Suzi Mance, Planning Board Liaison.

Karel Ambroz made a motion, seconded by Rick Johnson to approve the minutes of May 12, 2014 as written.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Chairman Bavis	Aye
	Deb Amsler	Abstained
	Karel Ambroz	Aye

Motion carried.

1. Application for simple realty-subdivision of land to convey approximately 0.25 acres of land from 3944 Wal-Ontario Road owned by Armando Devila to 3956 Wal-Ontario Road owned by Marc Slye. Property is zoned: RR-1 – Rural Residential 1 – 1 acre. (Public Hearing).

The applicant, Marc Slye was present. He explained that project includes a subdivision of land to convey approximately 37 feet (approximately 0.253 acres to centerline) from 3944 Walworth-Ontario Road, owned by Armando Devila to the northern adjoining parcel at 3956 Walworth-Ontario Road owned by the Marc Slye.

In a letter to the Board, dated July 14, 2014, Brendan Bystrak, PE LaBella Associates D.P.C. stated that he had reviewed the subdivision application submitted by Marc Slye, as well as the survey and supporting documentation. The application includes a survey prepared by Robert Morris III P.L.S., dated June 9, 2014.

The following comments were made:

- Applicant has permission from Armando Divila, owner of 3944 Walworth-Ontario Road to submit the application and request the proposed lot line modification. Affidavit was provided.
- The proposed subdivision does not create a new parcel but is a lot line modification between two adjoining properties. The proposed lot line modification will not create a need for variances, the two parcels meeting zoning criteria for setback, frontage and minimum parcel size.
- Mr. Norm Druschel, Town of Walworth Building Inspector, confirmed the septic system for the 3944 parcel is located directly behind the residence and absorption bed will be greater than 10 feet from the proposed boundary as required the NYSDOH.
- No physical changes to the land are proposed.
- The application is an Unlisted Action under SEQR's implementing regulations.

Chairman Bavis asked the Board if there were any questions. Karel Ambroz asked about future plans for the land. Marc Slye said that he may construct a pole barn later on, but that is not a definite.

Gene Bavis opened the public hearing.

There were no comments from the public.

Elaine Leasure made a motion, seconded by Deb Amser to close the public hearing.

Motion carried.

Chairman Bavis asked for a motion regarding SEQR.

Karel Ambroz moved adoption of the following resolution; Board member Rick John seconded the motion:

**SEQR RESOLUTION – NEGATIVE DECLARATION
SUBDIVISION 3944 WALWORTH ONTARIO ROAD**

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Planning Board of the Town of Walworth announces its intent to serve as Lead Agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NSSCRR) of the proposed action to subdivide the property at 3944 Walworth-Ontario Road.

FURTHER RESOLVED, that the Planning Board has determined that the proposed action is an “Unlisted Action” as defined under SEQR.

FURTHER RESOLVED, that the Planning Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of potential environmental impacts associated with the above-listed action. The Planning Board declares, that based on the environmental assessment which has been prepared, the action will result in no major impacts, or cause significant damage to the environment, and the preparation of an Environmental Impact Statement is not warranted. A Negative Declaration under SEQR is therefore issued for this project.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Chairman Bavis	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Rick Johnson made a motion, seconded by Elaine Leasure to approve the conveyance of a strip of land from 3944 Walworth-Ontario Road to 3956 Walworth-Ontario Road as presented.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Chairman Bavis	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

2. Recertification of Site Plan for Lot 1 of the Spring Valley Subdivision located at 4934 Ontario Center Road. Property is zoned: RR-1 – Rural Residential 1 – 1 acre.

The Planning Board members were in receipt of an application requesting recertification of the Site Plan for Lot 1 of the Spring Valley Subdivision located at 4934 Ontario Center Road, owner by Barbara Robinson. The Board was also in receipt of a letter from Donald H. Lewis, Jr. P.E. of A.E.Y. Engineering, 1607 Commons Parkway, Macedon, NY dated June 30, 2014. The letter said in part:

“Please let this serve as the re-certification that Lot #1 of the Spring Valley Subdivision plan design has the necessary design features as presented for the two previous approvals granted by the Town of Walworth Planning Board. The original approval was given in June, 1978 and re-approved with new driveway alignments in the mid 80’s. The re-approval allowed for this lot to have its own driveway access. The original site plan needed verification of the current soil conditions to satisfy the current design regulations stemming from the lack of septic soil testing data on the plans.”

Percolation and deep hole tests were performed by Don Lewis and witnessed by Norm Druschel on June 27, 2014 (test results and the 6/30/14 letter in PB file). Mr. Lewis outlined in the letter specific details about the residential onsite wastewater treatment system design. He certified that all current Town, County and State design regulations are satisfied and Lot #1 of the Spring Valley Subdivision is an approved and buildable residential lot.

Chairperson Bavis asked if there were plans for the owner to build a residence on the property. Norm Druschel responded that the owner would like to build a house in about a year.

Elaine Leasure made a motion, seconded by Karel Ambroz to recertify the site plan for Lot 1 of the Spring Valley Subdivision located at 4934 Ontario Center Road for a 12-month period beginning July 14, 2014 (*as per Town Code §151-21*).

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Chairman Bavis	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

3. Concept discussion by Mike Greene (Greene Land Surveying PLLC) for 2-lot Simple Realty Subdivision to subdivide house and one acre from total acreage of approximately 39 acres. Property is located at 310 Atlantic Avenue and is owned by Samuel and Marilyn Pietrosante. Property is zoned: RR-1: Rural Residential – 1 acre.

Timothy Voellinger, Greene Land Surveying, PLLC, Newark, NY was representing the Pietrosante's who were also present. Mr. Voelinger said that the project involves subdividing a one acre lot, including the house and outbuildings, from the northwest corner of a 39 acre parcel. The Pietrosante's have a purchase offer on the house. The remaining acreage will be retained by the Pietrosante's. There is no development proposed for the vacant land at this time. It is presently farmland.

Chairman Bavis said that it should be confirmed that the entire septic system is on the subdivided parcel. The parcel has a private well.

The next step is a formal application and subdivision map. Atlantic Avenue is a County Road so the application must be sent to the County for their review prior to the public hearing.

The Planning Board was agreeable to the concept.

Chairman Bavis adjourned the meeting at 7:50 P.M.

Gail Rutkowski, Clerk